

REMARKS

Claims 1-12 and 19-26 are pending in the application. In the Office Action of April 9, 2003, the Examiner rejected claims 1, 5, 9 and 11-12 under 35 U.S.C. §103(a) as being unpatentable over Leskinen, U.S. Patent 6,085,081; rejected claims 2-4 and 6-8 under 35 U.S.C. §103(a) as unpatentable over Leskinen in view of Fougnyes et al., U.S. Patent 5,722,067 ("Fougnyes"); rejected claim 8 under 35 U.S.C. §103(a) over Leskinen in view of Fukuzawa et al., U.S. Patent 6,327,353 ("Fukuzawa"); and rejected claims 19-26 "in a like manner to the claims above."

The Applicant respectfully traverses the rejections by the Examiner on the bases that the references, considered separately or in combination, fail to disclose certain novel features recited in the claims and there is no motivation to make the combinations composed by the Examiner. Reconsideration is respectfully requested in light of the remarks below.

Summary of Applicants' Invention

Applicants' invention is directed to a method and apparatus for assigning telephone numbers. More specifically, the present invention discloses and claims a method and apparatus for assigning telephone numbers such that outgoing calls may be made but no incoming number is associated with a communications device or communications line. Omitting the incoming telephone number conserves telephone numbers and restricts incoming calls.

Claims 1, 5, 9 and 11-12 are Patentable over Leskinen

The Examiner rejected claims 1, 5, 9 and 11-12 under 35 U.S.C. § 103(a) as being unpatentable over Leskinen. According to the Examiner, Leskinen teaches the claimed device and method, except for explicitly teaching that the device inhibits incoming calls. According to the Examiner, the device disclosed in Leskinen is only for outgoing calls. And, hence, inhibiting incoming calls is contemplated by Leskinen. Finally, the Examiner concludes that it would have been obvious "that having only a user ID and no telephone number would inhibit incoming calls." The Applicant respectfully disagrees.

The Examiner has failed to set forth a *prima facie* case of obviousness. Leskinen fails to disclose certain features in the claims, namely inhibiting incoming calls. The Examiner apparently pulls this feature from thin air or maybe from hindsight in light of the Applicant's disclosure. To the extent the Examiner is arguing that this feature is inherent in Leskinen, that reasoning is not supported by Leskinen and is at odds with the current norms in the art. As discussed in detail in the Amendment dated January 27, 2003, Leskinen is at best silent with respect to incoming calls. Moreover, Leskinen contemplates "normal" use after connection and analogizes the system disclosed therein to "public telephones" Leskinen, column 8, lines 59-65 and column 4, lines 6-9. Both normal usage as a mobile station and as a public telephone implies an incoming number. There is no support for anything to the contrary, other than Applicant's disclosure.

Independent claim 1 requires, among other things, "omitting association of a telephone number with the unique equipment identifier, thereby inhibiting incoming calls." Similarly, claim 11 requires a communication device "wherein no incoming call is receivable and outgoing calls are operably placed." And, independent claim 12 recites a

telecommunication switch "wherein at least one of [a] plurality of lines has no assigned telephone number for receiving incoming calls and has a capability to originate outgoing calls." Leskinen does not teach or disclose these novel features, explicitly, inherently or otherwise. Hence, claims 1, 11 and 12 are novel and not obvious in view of Leskinen. Claims 5 and 9, which ultimately depend from claim 1, are novel for at least the reasons given above with respect to claim 1.

Claims 2-4, 6-8 and 10 are Patentable

The Examiner rejected claims 2-4, 6-8 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Leskinen in view of Fougnyes. And, the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Leskinen in view of Fukuzawa.

According to the Examiner, with respect to claims 2-4 and 6-8, Leskinen teaches the claimed device, except for assigning a currently assigned telephone number with the communications device for billing, maintenance, ANI, and calling number identification. Fougnyes is cited for supplying the missing teachings. Applicant respectfully traverses the rejections on the basis that the combination of Leskinen and Fougnyes, even assuming *arguendo* that it is proper, does not teach certain novel features of the claimed invention. In particular, as discussed above, Leskinen fails to disclose preventing incoming calls, as recited in claim 1. Fougnyes does not supply this missing teaching from Leskinen.

In addition, there is no motivation to combine Leskinen and Fougnyes as contemplated by the Examiner. For an obviousness rejection to be proper there must be a motivation to combine the references. There simply is no motivation to combine Leskinen and Fougnyes.

With respect to claim 8, the Examiner indicates that Leskinen discloses the claimed invention, except for initiating temporary assignment of a telephone number based on a call. The examiner uses Fukuzawa for the missing element. Applicant traverses this rejection on the basis that the combination of Leskinen and Fukuzawa, even assuming *arguendo* that the combination is proper, does not teach certain novel features of the claimed invention. In particular, as discussed above, Leskinen fails to disclose preventing incoming calls, as recited in claim 1. Fukuzawa does not supply this missing teaching from Leskinen. Indeed, Fukuzawa clearly anticipates that incoming calls will be received. See, Fukuzawa, Abstract, lines 9-16.

In addition, there is no motivation to combine Leskinen and Fukuzawa. The only plausible motivation to combine the references is hindsight, based on Applicant's disclosure.

Therefore, claims 2-4, 6-8 and 10, all of which ultimately depend from claim 1 are novel and not obvious in view of the cited art, at least for the reasons given above for claim 1.

Claims 19-26 are Patentable

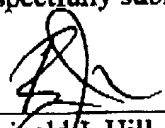
Independent claim 19 is similar to claim 1, except that claim 19 is directed only to a communications line, that is, landline communications, rather than a communications device, such as a wireless telephone. More specifically, claim 19 requires the omission of association of a telephone number with a communications line. This inhibits incoming calls to the communications line.

The Examiner rejected claims 19-26 "in a like manner to the claims above." It is unclear which rejections and claims the Examiner makes reference to. Nonetheless, the arguments set forth above with respect to Leskinen apply equally as well to claims 19-26. More specifically, Leskinen does not disclose, teach or suggest, explicitly, inherently or otherwise, the omission of an incoming telephone number to conserve telephone numbers. Hence, claims 19-26 are patentable for at least the reasons given above.

CONCLUSION

All claims are in condition for allowance. Allowance at an early date is solicited.

Respectfully submitted,



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